ARTICLE 17 ARRITRATION PROCEDURE

Section 1: Invocation of Arbitration.

If the decision on a grievance processed under this Agreement is not satisfactory, UNION or IHSHQE may refer the issue to arbitration. The invocation of arbitration from the UNION must be in writing signed by the Union Business Manager or designee and submitted within thirty (30) calendar days following receipt of the decision or completion of mediation efforts.

Section 2: Selecting the Arbitrator.

- a. Within ten (10) work days from the date of receipt of a valid invocation of arbitration, the parties shall attempt to select an arbitrator. If the parties are unable to agree upon an arbitrator, they shall immediately request the FMCS to submit a list not to exceed seven (7) impartial persons qualified to act as arbitrators. A brief statement of the nature of the issues in dispute will accompany the request to enable the parties to submit the names of arbitrators qualified for the issues involved. The request shall also include a copy of the collective bargaining agreement. In the event that the entire agreement is not available, a verbatim copy of any provision relating to arbitration of the grievance shall accompany the request.
- b. The parties shall meet within ten (10) work days after the receipt of such list to select an arbitrator. If they cannot agree upon one (1) of the listed persons, INSHQE and UNION will each strike one (1) arbitrator's name from the list and shall repeat the procedure until only one (1) name remains. The remaining name shall be the only and duly selected arbitrator. A flip of a coin shall determine which party shall strike the first name.

Section 3: Fees and Expenses.

- a. All of the arbitrator's fees and expenses and all other expenses of arbitration shall be borne equally by the IHSHQE and UNION. Travel and/or per diem costs shall not exceed those authorized by applicable Agency regulations. Further, IHSHQE and UNION shall share equally the expenses of any mutually agreed upon services in connection with an arbitration inquiry or hearing.
- b. The grievant with UNION approval may withdraw the grievance at any time prior to the actual convening of a hearing or submission of the case to the arbitrator. The party

withdrawing will be responsible for any cancellation fees.